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LANCASTER, NEW YORK  
MAY 21, 1973

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York, on the 21st day of May, 1973 at 8:00 P.M. and there were

PRESENT:

LEO N. WEIMER, SUPERVISOR

JOSEPH R. BARNHARDT, COUNCILMAN

EDWARD A. BERENT, COUNCILMAN

PETER J. BOLENDER, COUNCILMAN

ARTEL J. METZ, COUNCILMAN

ABSENT:

NONE

ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK

DOMINIC J. TERRANOVA, TOWN ATTORNEY

TIMOTHY J. DWAN, DEPUTY TOWN ATTORNEY

EDWARD J. FERON, JR., TOWN ENGINEER

JOHN F. LUME, HIGHWAY SUPERINTENDENT

OLIVIN R. CONNELLY, RECEIVER OF TAXES

VICTOR H. OTT, POLICE CHIEF

WILLIAM F. DOUGHERTY, JR., BUILDING INSPECTOR

JOHN M. COSTELLO, ASSESSOR III

PUBLIC HEARING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M. the Town Board held a Public Hearing to hear all interested parties and citizens for or against the proposed rezone of a certain parcel of land owned by Schmitt's Garage at 5255 Genesee Street, from a C1, Local Retail Business District and a R1, Single-Family Residence District to a C2, General Commercial District.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed Certified Mail, Return Receipt Requested, to the Petitioner, the Attorney for the Petitioner, and the Erie County Department of Planning notifying these individuals of the time and place of this Public Hearing.

The Town Clerk reported that a Zoning Coordination Referral from the Erie County Department of Planning had not been received as of the afternoon mail; whereby he contacted the Erie County Department of Planning and was informed that the Department has not completed its investigation of this case.

The Town Clerk presented a letter from Tryon and Schwartz, retained consultants of the Town of Lancaster, to the Planning Board recommending a favorable review of this proposed rezone.

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending a favorable review of the proposed rezone.

The Town Clerk presented these further communications relative to this Public Hearing:

Letters from Mr. and Mrs. John Glasser, 98 Stutzman Road,  
Mr. & Mrs. Paul Clair, 94 Stutzman Road, and  
Florence & Isaac Coyer, 92 Stutzman Road

PROPONENTS:ADDRESS

Mr. Julius Volker, Attorney  
for the Petitioner

Liberty Bank Building, 422 Main,  
Buffalo, New York 14202

OPPONENTS:ADDRESS

None

During the course of the hearing Mrs. Paul Clair, 94 Stutzman Road, Mr. & Mrs. Isaac Coyer, 92 Stutzman Road, Mr. John Glasser, 98 Stutzman Road, and Mr. Ted Brunea, 599 Harris Hill Road, Lancaster, New York, discussed with the Town Board, and the petitioner the feasibility of erecting a fence on the east line of the proposed rezone property contiguous to the property of Clair, Coyer, and Glasser.

The petitioner stipulated that if the rezone was granted he would erect a fence on the east line of the proposed rezone property for the full length of the properties at 92, 94, and 98 Stutzman Road for the purpose of establishing greater privacy and security for these homes.

The Attorney for the petitioner informed the Town Board that he will confirm this stipulation in writing to the Supervisor.

ON MOTION BY COUNCILMAN METZ, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous roll call vote, the Public Hearing was adjourned until the next regular meeting of the Town Board scheduled for Monday, June 4, 1973.

OFFICIAL REPORTS:

The Town Clerk reported that the following Board of the Town of Lancaster has filed with him minutes of its meeting as follows:

Planning Board

Meeting #8, May 2, 1973

COMMITTEE REPORTS:

Councilman Barnhardt, for the Street Lighting Committee, reported that he and the Committee Members met with the residents of Kennedy Court and Candice Court for the purpose of establishing a special esthetic lighting district for these two (2) streets.

Councilman Barnhardt indicated that all the residents were in agreement and a petition will be filed shortly calling for the creation of this district.

Councilman Metz, for the Investigating Committee, reported on his investigation of the complaint at the last Town Board meeting relative to the operation of mini bikes at the end of Belmont Avenue.

Councilman Metz reported that he contacted the owner of the property involved who agreed to clear brush from the area and post the property, specifically to prohibit trespassing.

Councilman Metz indicated that the action taken by the property owner should eliminate the problem of mini bike operation and the annoyance which it created for the neighbors.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BOLENDER , TO WIT:

RESOLVED, that the Minutes of the Regular Meeting of the Town Board  
held on May 7, 1973, as presented by the Town Clerk, be and hereby are  
approved.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~clerk~~  
The resolution was thereupon unanimously adopted.

May 21, 1973

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BERENT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

WHEREAS, the Lancaster Marching Redskins Band of Lancaster Senior High School recently participated in national competition held in the State of Florida, winning two important awards and nationwide recognition for its talent and ability as a marching and musical unit, reflecting great credit both to the members of the band, the Lancaster School District and this community, and

WHEREAS, all reports indicate exemplary conduct of the marching unit while appearing in the State of Florida, and

WHEREAS, the result of this national competition was a direct result of the participation, devotion to duty and long hours of hard work on the part of the students, advisers, directors and many volunteer parents from the community, all working together to achieve a successful result,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster commends the individual students participating in the Lancaster Marching Redskins Band competition in the State of Florida, their Director, Assistants, Administration and School Board of the Lancaster School District and the Lancaster Marching Redskins Band Boosters Club and their membership for their hard work and determination in achieving nationwide recognition, both for themselves and for the community, and

BE IT FURTHER

RESOLVED, that the Town Clerk forward a certified copy of this resolution to the Superintendent of Schools, the Board of Education, the Director of the Lancaster Marching Redskins Band and to the Marching Redskins Band Boosters Club.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

xduky

The resolution was thereupon unanimously adopted.

may 20, 1972

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN METZ , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BOLENDER , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letter dated May 10, 1973, has requested authorization to attend the 1973 Town Highway Superintendents School to be held at Cornell University, Ithaca, New York, June 18, 19 and 20, 1973,

NOW, THEREFORE, BE IT

RESOLVED, that John Lume, Highway Superintendent, be and is hereby authorized to attend the Highway Superintendents School at Cornell University, Ithaca, New York, June 18th through 20th, 1973, with reimbursement for actual and necessary expenses not to exceed \$150.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

<sup>duly</sup>  
The resolution was thereupon unanimously adopted..

May 21, 1973

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ, TO WIT:

WHEREAS, McKinney Drilling Company 4498 Main Street, Buffalo, New York, has petitioned the Town Board of the Town of Lancaster for the rezone of certain property hereinafter described, situate on the east side of Gunnville Road north of Lancaster Speedways in the Town of Lancaster from an M1, Light Industrial District, to an M2, General Industrial District, which property is described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 10, Section 6, Township 11, Range 6 of the Holland Land Company's Survey, and more particularly bounded and described as follows:

BEGINNING at a point on the west line of Lot No. 10 (which is also centerline of Gunnville Road) 1382.05 feet south of the north line of the Town of Lancaster; thence northerly along the west line of Lot No. 10 a distance of 150.0 feet; thence easterly at right angles to Gunnville Road a distance of 1195.92 feet to the westerly line of land owned by Iroquois Gas Corporation; thence southerly at right angles along the west line of Iroquois Gas Corporation property a distance of 150.0 feet; thence westerly at right angles a distance of 1195.92 feet (which is north property line of land owned by Great Lakes Auto Racing Promotions, Inc.) to the place of beginning,

and

WHEREAS, said petition has been referred to the Planning Board and Planning Consultant of the Town of Lancaster and to the Erie County Department of Planning, and

WHEREAS, a public hearing on the petition for proposed rezone was held by the Town Board of the Town of Lancaster on the 7th day of May, 1973, pursuant to public notice duly published and posted, and

WHEREAS, full opportunity to be heard was given to all parties in interest, and

WHEREAS, a review of the petition and report of the Planning Board, Planning Consultant and Erie County Department of Planning and the evidence adduced at said public hearing and the Master Plan and Zoning Map of the Town of Lancaster reveals the following facts:



1. That the proposed area advertised to be rezoned would carve a small parcel of M2, General Industrial District, out of an existing M1, Light Industrial District, to be used as drilling company office, warehouse and yard.
2. That a review of the Zoning District Map of the Town of Lancaster reveals sufficient and adequate M2, General Industrial District, property available to the petitioner in already established general industrial areas.
3. The proposed operation to be established on subject premises would include the outdoor storage of drilling equipment,

and

WHEREAS, a study of the area involved in conjunction with the Master Plan and Zoning Map of the Town of Lancaster reveals that the property in question does not constitute a logical future M2, General Industrial District, and, therefore, would be spot zoning for the limited benefit of the petitioner rather than the community at large, and

WHEREAS, it is the purpose and intent of the Town Board of the Town of Lancaster to implement the Master Plan and Zoning Map of the Town of Lancaster so that an orderly and balanced development of the township may be achieved, and

WHEREAS, it is the obligation of the Town Board, as the legislative voice of the community, to enforce and implement the Master Plan and Zoning District Map of the Town of Lancaster as an orderly blueprint for future development, and

WHEREAS, the denial of this petition for rezone will not deny the reasonable use of the real property to the owners thereof,

NOW, THEREFORE, BE IT

RESOLVED, that upon the findings and determinations contained herein adduced from the evidence presented at the public hearing upon the subject proposed rezone, the petition of McKinney Drilling Company be and hereby is denied.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~only~~  
The resolution was thereupon unanimously adopted.

May 21, 1973

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN METZ , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BOLENDER , TO WIT:

WHEREAS, by resolution of December 20, 1972, the Town Board of the  
Town of Lancaster temporarily upgraded Ernest Gainey of the Highway Department  
to the position of Heavy Equipment Operator during the sickness absence of  
Highway Department employee Gordon Anderson, and

WHEREAS, the said Gordon Anderson has now retired from Town service,  
and

WHEREAS, the Highway Superintendent, by letter of May 11, 1973, has  
requested the permanent upgrading of said Ernest Gainey,

NOW, THEREFORE, BE IT

RESOLVED, that Ernest Gainey be and hereby is permanently upgraded  
to the position of Heavy Equipment Operator in the Highway Department of the  
Town of Lancaster, effective May 22, 1973.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~duky~~  
The resolution was thereupon unanimously adopted.

May 21, 1973

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BERENT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor the Youth Recreation Project during the year beginning July 1, 1973, and

WHEREAS, the Town of Lancaster is about to submit a renewal application for such project to the New York State Youth Commission for its approval and, if approved, will apply subsequently to the State of New York for partial reimbursement of funds expended on said project,

NOW, THEREFORE, BE IT

RESOLVED, that such application is in all respects approved and Leo N. Weimer, Supervisor, is hereby authorized and directed to duly execute and present said application to the New York State Youth Commission for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~xxx~~  
The resolution was thereupon unanimously adopted.

May 21, 1973

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BOLENDER, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ, TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster, by letter dated May 14, 1973, has requested authorization to attend a Town Board Training School to be held at Cornell University, Ithaca, New York, on June 18, 19 and 20, 1973;

NOW, THEREFORE, BE IT

RESOLVED, that Supervisor Leo N. Weimer be and hereby is authorized to attend the Town Board Training School at Cornell University, Ithaca, New York, June 18, 19 and 20, 1973, with reimbursement for actual and necessary expenses.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~xxxy~~  
The resolution was thereupon unanimously adopted.

May 21, 1973

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT, TO WIT:

WHEREAS, the Assessor of the Town of Lancaster, by letter dated April 18, 1973, has requested authorization to attend an Advanced Course in Appraisal of Income Properties at Cornell University, Ithaca, New York, June 25th through 29th, 1973,

NOW, THEREFORE, BE IT

RESOLVED, that John M. Costello, Assessor, be and hereby is authorized to attend the Advanced Course in Appraisal of Income Properties to be held at Cornell University, Ithaca, New York, June 25th through 29th, 1973, with reimbursement for actual and necessary expenses not to exceed \$200.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~duky~~  
The resolution was thereupon unanimously adopted.

May 21, 1973

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BERENT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

WHEREAS, the Town of Lancaster has recently acquired 19.77 acres of the former Nike Site on Pavement Road for general governmental purposes from the General Services Administration, and

WHEREAS, the Town of Lancaster intends to utilize said site and buildings for a portion of its governmental functions, including but not limited to, police services, Highway Department and Recreation Department offices and storage, and

WHEREAS, it is essential to the proper utilization and future economic use of this site and buildings that a thorough development plan be generated by a competent consultant to determine and evaluate the proper condition of the buildings and utilities and to prepare a comprehensive plan for the development and utilization of said site and buildings, and

WHEREAS, William R. Trautman Associates, Professional Engineers, of 369 Hamburg Street, Buffalo, New York, have submitted a proposal dated May 7, 1973 for such development plan as aforesaid, copy of which proposal is on file with the Town Clerk,

NOW, THEREFORE, BE IT

RESOLVED, that the development plan proposal of William R. Trautman Associates of 369 Hamburg Street, Buffalo, New York, dated May 7, 1973, at a total cost to the Town of Lancaster of \$5,000.00, be and hereby is accepted and that the Supervisor be and hereby is authorized and directed to enter into a written agreement for said services at said cost in accordance with said proposal, and

BE IT FURTHER

RESOLVED, that the sum of \$5,000.00 be transferred from the General Fund Account Unappropriated Surplus to the General Fund Account No. A 00.1621, Town Governmental Offices - Pavement Road, and that payment for the aforesaid Development Plan be made from said account.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

~~duly~~  
The resolution was thereupon unanimously adopted.

May 21, 1973



THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMAN BOLENDER, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered  
paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 5576 to 5623 Incl.	\$ 194,992.17
Special District Funds	No. 1230 to 1232 Incl.	6,900.63
Part Town Funds	No. 1470 to 1475 Incl.	15,603.37
Highway Funds	No. 3035 to 3049 Incl.	42,573.89
Federal Revenue Sharing	No. 4 to 7 Incl.	75,286.21

The question of the adoption of the foregoing resolution was duly put  
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

The resolution was thereupon unanimously adopted.

May 21, 1973

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BERENT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

WHEREAS, the Chief of Police of the Town of Lancaster, by letter dated April 26, 1973, has requested authorization to attend the 73rd Annual New York State Chiefs' of Police Conference to be held in Syracuse, New York, from July 22nd to July 26th, 1973,

NOW, THEREFORE, BE IT

RESOLVED, that Victor H. Ott, Chief of Police, be and hereby is authorized to attend the 73rd Annual New York State Chiefs' of Police Conference to be held in Syracuse, New York, July 22nd to July 26th, 1973, with reimbursement for actual and necessary expenses not to exceed \$250.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~and~~  
The resolution was thereupon unanimously adopted.

May 21, 1973

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BERENT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

WHEREAS, It has become necessary to create the position of Clerk-  
Typist in the Police Department of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby creates  
the position of Clerk-Typist in the Police Department of the Town of Lancaster,  
and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and hereby  
is authorized to complete and execute Section 8 of Form P0-17 (New Position  
Duties Statement) from the Erie County Department of Personnel, indicating that  
the position of Clerk-Typist in the Police Department has been created.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~xxx~~  
The resolution was thereupon unanimously adopted.

May 21, 1973

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMAN METZ, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCILMAN  
BOLENDER, TO WIT:

RESOLVED, that the following Building Permit Applications be and are  
hereby approved and the issuance of Building Permits be and are hereby  
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
41	Nicholas Biro	5 Wainwright Court	ER. FR. BR. VEN. SING. DWLG. PVT. GAR.
42	Thomas Kerl	110 Cemetery Road	ER. STL. PUB. GAR. & SHOP
43	Roy Stutzman	3740 Bowen Road	REP. FR. PORCH ENCL.
44	Genevieve Mruk	318 Broeze1	ER. CHAIN LINK FENCE
45	Jeanne Burzik	616 Columbia Ave.	ER. STL. STRG. BLDG.
46	Floyd Orsini	5277 William St.	ER. FR. SING. DWLG. PVT. GAR.
47	Penny Stanek	525 Lake Avenue	ER. FR. SING. DWLG. PVT. GAR.
48	Victoria Mruk	310 Broeze1	ER. CHAIN LINK FENCE
49	Leo Piotrowski	6008 Genesee St.	ER. FR. BR. VEN. SING. DWLG. PVT. GAR.
50	John Hucul	5631 Genesee St,	ER. FR. SING. DWLG.
51	Charles Howk	31 Glendale Dr.	DEM. EX. FR. BR. VEN. SING. DWLG.

The question of the adoption of the foregoing resolution was duly put  
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~duky~~

The resolution was thereupon unanimously adopted.

May 21, 1973

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMAN BOLENDER, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCILMAN METZ  
TO WIT:

BE IT RESOLVED, that the following transfers within the General Fund  
and Special Districts Fund of the Town of Lancaster be effected:

	To		From	
	Account	Amount	Account	Amount
<u>General Fund</u>				
Central Data Processing				
Contractual expenses	A.00.1680.40	\$ 38.70		
Contingent Account			A.00.1990.40	\$ 38.70
<u>Police and Constables</u>				
Court Appearances	A.00.3120.15	7,466.65		
Salary of Patrolman - new position			A.00.3120.12	7,466.65
<u>Special Districts Fund</u>				
Master Water Improvement Area				
Expenses re. payment of debt	SW.90.8340.46	164.30		
Interest on notes	SW.90.9710.70	325.00		
Master Water Improvement Area-Unappropriated			SW.90.0909.00	489.30

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED	<u>YES</u>
COUNCILMAN BERENT VOTED	<u>YES</u>
COUNCILMAN BOLENDER VOTED	<u>YES</u>
COUNCILMAN METZ VOTED	<u>YES</u>
SUPERVISOR WEIMER VOTED	<u>YES</u>

The resolution was declared unanimously adopted.

DATED: May 21, 1973

STATUS REPORTS ON UNFINISHED BUSINESS:1. Traffic Study - Walden Avenue

On March 12, 1973 the New York State Department of Transportation indicated that the necessary speed checks for this study were being taken during the week of February 26th and that a report will be forthcoming.

2. Rezone Petition - Ralph Figlow - Aurora Street

On October 16, 1972, after a Public Hearing, this matter was referred back to the Planning Board for review and report to the Town Board.

3. Cayuga Creek Flood Program

On November 15, 1972 the Army Corps of Engineers indicated that their workload is such that they will not be able to commence studies on this project until January, 1973.

4. Tax Abatement - Police Services - County Sheriff's Department

On December 13, 1972 Legislator Wnek indicated to the Town Board that this matter is before the Police and Safety Committee which he is Chairman of, and he will keep the Town Board advised on the progress of this matter.

On April 3, 1973, upon direction of the Town Board, the Town Clerk requested a Status Report on this matter from Legislator Wnek.

5. Legislation - Payment to Recreation Commission Members

On January 25, 1973 Assemblyman Volker and on February 5, 1973 Senator McGowan acknowledged receipt of the Town Board's resolution and request for introduction of legislation.

6. Railroad Crossings - Improved Safety

On March 20, 1973 the Town Clerk filed a Town Board resolution and Police Survey with the State Transportation Department, Assemblyman Volker, and Senator McGowan.

On March 28, 1973 Senator McGowan acknowledged receipt of the Town Board's resolution and survey.

7. Rezone Petition - Schmitt's Garage - Genesee Street

On May 21, 1973 the Town Board held a Public Hearing on this matter and adjourned the Public Hearing until June 4, 1973.

PERSONS DESIRING TO ADDRESS THE TOWN BOARD:

Mr. Hugh Bruce, representing McKinney Drilling Company, expressed his displeasure with the Town Board over the Town Board's action in denying the requested rezone of McKinney Drilling Company on Gunnville Road.

Mr. Theodore Brunea, 599 Harris Hill Road, Lancaster, New York, indicated to the Town Board that he felt that the present zoning classifications of the Town of Lancaster were too restrictive for healthy development of a Town of this nature and that the present zoning classifications should be reviewed and updated.

The Town Board and specifically Councilman Barnhardt informed Mr. Brunea that there is a constant updating of the Master Plan of the Town of Lancaster.

COMMUNICATIONS:

249. Town Clerk to Town Board -  
Notification - Directives complied with  
from meeting of May 7, 1973.
250. Erie & Niagara Counties Regional Planning  
Board to Town Clerk -  
Transmittal - Document entitled, "Open  
Space Preservation Plan for Cayuga  
Creek - Erie County".
251. Krehbiel-Guay-Rugg-Hall to Goodwin  
Electric Corp. -  
Re: Transmittal - Contracts for Remedial  
Work (Electrical) on Lancaster Town Pool.
252. Lancaster Garden Club to Town Board -  
Transmittal - Estimate for beautification  
project - Town Hall.
253. Department of Agriculture & Markets to Town  
Clerk -  
Re: Proposed new dog law.
254. Mr. & Mrs. Isaac S. Coyer to Town Board -  
Re: Schmitt's Garage rezone petition.
255. Town Attorney to Supervisor -  
Re: Purchase of 10 School Street for  
addition to Library Site.
256. Mr. & Mrs. Paul J. Clair to Town Board -  
Re: Schmitt's Garage rezone petition.
257. Mr. & Mrs. John Glasser to Town Board -  
Re: Schmitt's Garage rezone petition.
258. Highway Supt. to Town Board -  
Request authorization to attend The  
Town and County Officers Training  
School of the State of New York at  
Cornell University, Ithaca, New York,  
on June 18, 19, and 20, 1973.
259. Assemblyman Volker to Town Board -  
Acknowledgement - Receipt of resolution  
concerning Bill #6986, increase in  
financial assistance to defray cost of  
Town Highway Improvement Projects.
260. Highway Supt. to Town Board -  
Recommendation - Promotion of Ernest  
Gainey to Permanent Motor Equipment  
Operator.
261. Supervisor to Town Board -  
Request authorization to attend Training  
School at Cornell University, Ithaca,  
New York, June 18 through June 20, 1973.
262. State Board of Equalization and Assessment  
to Supervisor -  
Re: State revenue sharing for 1973-74  
state fiscal year.
263. Town Attorney to Building Inspector -  
Notification - proper Maintenance Bond on  
file for Evergreen Hill Subdivision and  
issuance of Building Permits are in order.

R & F

R & F

R & F

Building Committee

R & F

R & F

Library Board Pres.

R & F

R & F

R & F

R & F

R & F

R & F

Budget Committee

R & F



COMMUNICATIONS:

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DISPOSITION

264. Erie County Department of Public Works to  
Town Clerk -  
Re: Public Hearing - Erie County Sewer  
Dist. No. 4 - June 1, 1973.

Sewer Committee

265. Supervisor to Town Board -  
Investment of M & T Trust Company on  
May 15, 1973 for \$100,000.00 and  
\$30,000.00 for total dollar earnings of  
\$603.00 and \$383.64 respectively and  
with Marine Midland Bank-Western for  
\$100,000.00 at total dollar earnings of  
\$1,227.08.

R & F

266. Marie Burdick to Town Clerk -  
Acknowledgement - Memorial resolution  
for Harold O'Hern, Jr.

R & F

267. Krehbiel-Guay-Rugg-Hall to Town Attorney -  
Re: Drainage Easement, Ransom Road -  
Pasquale Tigani Property.

Town Attorney

268. Highway Supt. to Town Board -  
Request authorization to prepare  
specifications for equipment needed  
for Highway Department.

Highway Committee

269. Bernard F. Shone to Supervisor -  
Transmittal - Copy of Second Quarterly  
Report of Operating Budget and  
Attendance and Membership for Junior  
Citizens' Club.

Budget Committee

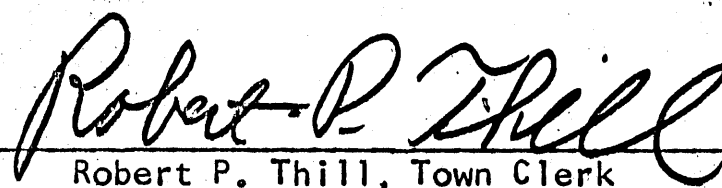
ADJOURNMENT:

ON MOTION OF COUNCILMAN BOLENDER, AND SECONDED BY THE ENTIRE TOWN  
BOARD AND CARRIED, the meeting was adjourned at 8:55 P.M. out of respect  
to:

VICTOR C. WILSON

DEWEY DELL

Signed

  
Robert P. Thill, Town Clerk